

AP2004-052597 PCT/EP 20 APR 2006

Re Box No. V

Reference is made to the following documents:

D1: US 2001/041598 A1 (YOSHINO ET AL) 15 November 2001 (2001-11-15)

D2: EP-A2-0 690 405 (FUJITSU LIMITED) 3 January 1996 (1996-01-03)

1. The present application does not fulfill the requirements of Article 33(1) PCT because the subject-matter of claim 1 is not based on an inventive step with regard to Article 33(3).

Document D1 is regarded as the closest prior art compared with the subject matter of claim 1. It discloses (the references in brackets relate to this document):

A communications device comprising a display unit for displaying characters (para. [0001]), an actuating element (22, Fig. 3, para. [0016]), and a processor which is configured such that the instantaneously highlighted character is selected by actuation of the actuating element (para. [0017]).

The subject-matter of claim 1 differs therefore from the communications device disclosed in D1 in that the characters are highlighted by a data entry pen.

The object to be achieved with the present invention can thus be seen in that the displayed characters are to be highlighted.

The use of a pen for operating a communications device is a known feature (see for example D2 "input pen", p. 3, l. 26). The data entry pen is merely one of several possibilities from which a person skilled in the art would accordingly choose the circumstances without inventive activity in order to achieve the object posed, *i.e.* to highlight the displayed characters.

2. The additional features of the dependent claims 2 to 8 are either known from D1 or are regarded as conventional constructive standard measures which do not go beyond normal expertise.

These additional features do not lead to a subject-matter based on an inventive step either individually or when combined (Article 33(3) PCT).

3. The expression “in particular” in claims 1, 4 and 5 does not bring about any limitation of the scope of the claim, *i.e.* the feature associated with such an expression should be regarded as completely optional.

4. It cannot currently be seen which part of the application could form the basis for a new claim which satisfies the requirements according to Article 33(2)-(4) PCT.

4.1 Claim 1 is not in keeping with Rule 6.3(b) PCT as claim 1 is not conceived in a two-part subdivision.

4.2 The technical features cited in the claims are not provided with reference numerals set in brackets (Rule 6.2(b) PCT).